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HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

T-MOBILE USA, INC., a Delaware corporation, Plaintiff, v. HUAWEI DEVICE USA, INC., a Texas corporation, Defendant.
--

Case No. 14-cv-01351-RAJ

**PLAINTIFF’S UPDATED
VERDICT FORM**

1 Per the Court's direction, Plaintiff T-Mobile USA, Inc. hereby submits the following
2 updated proposed Verdict Form.
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1 **PLAINTIFF'S PROPOSED VERDICT FORM**

2 We, the jury, being duly impaneled and sworn, provide the following answers to the
3 questions submitted by the Court:
4

5 **Trade Secret Misappropriation:**

6 **QUESTION NO. 1:** Do you find by a preponderance of the evidence that T-Mobile has
7 proven its misappropriation of trade secrets claim against Huawei?

8 YES _____ NO _____

9 *If you answered "Yes" to Question No. 1, then you must answer Question Nos. 2-3. If you*
10 *answered "No" to Question No. 1, then you must skip Question Nos. 2-3 and continue on with*
11 *Question No. 5.*

12 **QUESTION NO. 2:** What do you find is the amount of damages caused by Huawei's
13 misappropriation of trade secrets?

14 \$ _____

15 **QUESTION NO. 3:** Do you find by a preponderance of the evidence that Huawei's
16 misappropriation of trade secrets was willful and malicious?

17 YES _____ NO _____

18 *If you answered "Yes" to Question No. 3, then you must answer Question No. 4. If you*
19 *answered "No" to Question No. 3, then you must skip Question No. 4 and continue on with*
20 *Question No. 5.*

21 **QUESTION NO. 4:** What amount of punitive damages, if any, do you award T-Mobile?

22 \$ _____
23

24 **Breach of Contract:**

25 *You must answer Question No. 5.*

26 **QUESTION NO. 5:** The Court has already determined that Huawei breached its Mutual
27 Nondisclosure Agreement and Clean Room Letter Agreement with T-Mobile. Do you find by a

preponderance of the evidence that T-Mobile has proven its claim that Huawei also breached one or more of its other contracts with T-Mobile?

Handset and Accessory Supply Agreement

YES _____ NO _____

MetroPCS Supply Agreement

YES _____ NO _____

You must answer Question Nos. 6 and 7.

QUESTION NO. 6: What do you find is the total amount of actual damages, if any, that T-Mobile incurred as a result of (1) Huawei's breaches of the Nondisclosure Agreement and Clean Room Letter Agreement, and (2) Huawei's breach(es), if any, of the Handset and Accessory Supply Agreement and/or MetroPCS Supply Agreement?

\$ _____

QUESTION NO. 7: What do you find is the total amount of unjust enrichment damages, if any, that T-Mobile should be awarded as a result of Huawei's breach of either, or both, the Handset and Accessory Supply Agreement and Clean Room Letter Agreement?

\$ _____

Please sign and date this form, and notify the courtroom deputy that you have reached a verdict.

Dated this _____ day of _____, 2017.

Presiding Juror

1 DATED this 9th day of May, 2017.

2
3 s/ Steven N. Feldman

4 John Hueston (admitted *pro hac vice*)
5 Alison Plessman (admitted *pro hac vice*)
6 Eric Hayden (admitted *pro hac vice*)
7 Steven Feldman (admitted *pro hac vice*)

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25 ***Counsel for Plaintiff T-Mobile USA, Inc.***

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DATED this 9th day of May, 2017.

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Counsel Plaintiff T-Mobile USA, Inc.